

Amendment No. 1 to HB3057

Johnson P
Signature of Sponsor

AMEND Senate Bill No. 3240

House Bill No. 3057*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-145, is amended by deleting the section in its entirety and by substituting instead the following:

55-8-145.

(a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in the section, the driver of the vehicle shall stop within fifty feet (50') but not less than fifteen feet (15') from the nearest rail of the railroad, and shall not proceed until that driver can do so safely. These requirements shall apply when:

(1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train or other on-track equipment, which shall mean any self-propelled machinery or vehicle traveling on a railroad track;

(2) A crossing gate is lowered or when a human flagger gives or continues to give a signal of the approach or passage of a railroad train or other on-track equipment;

(3) A railroad train or other on-track equipment approaching within approximately one thousand five hundred feet (1,500') of the highway crossing emits a signal audible from such distance and the railroad train or other on-track equipment, by reason of its speed or nearness to the crossing, is an immediate hazard; or

(4) An approaching railroad train or other on-track equipment is plainly visible and is in hazardous proximity to the crossing.

(b) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed.

(c) A violation of this section is a Class C misdemeanor.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.